

20-8179 ORIGINAL

No.

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**Supreme Court of the United States**

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**CHAD ALAN SODERMAN,**

*Petitioner,*

**vs.**

**UNITED STATES OF AMERICA,**

*Respondent.*

**ORIGINAL**

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**ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

**FILED**

**MAY 17 2021**

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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**MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS**

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COMES NOW PETITIONER CHAD ALAN SODERMAN and respectfully moves this Honorable Court for leave to proceed in forma pauperis, in accordance with the provisions of Title 28, United States Code, Section 1915, and Rule 39 of the Rules of this Court.

The affidavit of Chad Alan Soderman in support of this motion is attached hereto.

Mr. Soderman sought leave to proceed in forma pauperis in the court below.

Mr. Soderman was granted leave to proceed in forma pauperis in the court below.

The statute under which Mr. Soderman was appointed counsel by the Southern District of Iowa was the Criminal Justice Act of 1964, 18 U. S. C. § 3006A. Therefore, in reliance upon Supreme Court Rule 39.1 and 18 U.S.C. § 3006A(d)(7), petitioner has *not* attached the affidavit which would otherwise be required.\*\*

Presented herewith is Mr. Soderman's Petition for Writ of Certiorari to the Court of Appeals for the Eighth Circuit.

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**Chad Alan Soderman**  
**Petitioner**  
**44905-013**  
**9595 West Quincy Avenue**  
**Littleton, CO 80123**

Date: \_\_\_\_\_

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\*\* Supreme Court Rule 39.1 provides:

A party seeking to proceed in forma pauperis shall file a motion for leave to do so, together with the party's notarized affidavit or declaration (in compliance with 28 U.S.C. § 1746) in the form prescribed by the Federal Rules of Appellate Procedure, Form 4. The motion shall state whether leave to proceed in forma pauperis was sought in any other court and, if so, whether leave was granted. *If the United States district court or the United States court of appeals has appointed counsel under the Criminal Justice Act of 1964, 18 U.S.C. § 3006A, or under any other applicable federal statute, no affidavit or declaration is required, but the motion shall cite the statute under which counsel was appointed.*" *Id.* (As Amended Jan. 27, 2003, eff. May 1, 2003.) (emphasis added)

18 U.S.C. § 3006A(d)(7) provides:

(7) Proceedings before appellate courts. If a person for whom counsel is appointed under this section appeals to an appellate court or petitions for a writ of certiorari, he may do so without prepayment of fees and costs or security therefor and *without filing the affidavit required by section 1915(a) of title 28.* *Id.* (emphasis added)

General Docket  
Eighth Circuit Court of Appeals  
Court of Appeals Docket #: 19-2879  
United States v. Chad Soderman

Appeal From: U.S. District Court for the Southern District of Iowa - Council Bluffs  
Fee Status: In Forma Pauperis

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09/12/2019 CLERK ORDER: Granting [4827948-2] motion for appointment of counsel filed by Mr. Christopher James Roth. Christopher James Roth for Chad Alan Soderman, in case 19-2879 was added as appointed counsel. [4829655] [19-2879] (RLS) [Entered: 09/12/2019 09:39 AM]